IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No. 1920 of 2003
With
FIRST APPEAL NO. 1921 OF 2003
FIRST APPEAL NO. 1922 OF 2003
FIRST APPEAL NO. 1923 OF 2003
FIRST APPEAL NO. 1925 OF 2003
FIRST APPEAL NO. 1926 OF 2003
FIRST APPEAL NO. 1927 OF 2003
FIRST APPEAL NO. 1928 OF 2003
FIRST APPEAL NO. 1931 OF 2003
FIRST APPEAL NO. 1932 OF 2003
FRIST APPEAL NO. 1933 OF 2003
FIRST APPEAL NO. 1935 OF 2003
FIRST APPEAL NO. 1936 OF 2003
FIRST APPEAL NO. 1937 OF 2003
FIRST APPEAL NO. 1938 OF 2003
FIRST APPEAL NO. 1939 OF 2003
FIRST APPEAL NO. 1940 OF 2003

AND
CIVIL APPLICATION NO. 6937, 6938, 6939, 6940, 6942, 6943, 6944, 6945, 6948, 6949, 6950, 6952, 6953, 6954, 6955, 6956 and 6957 of 2003

For Approval and Signature:

HON'BLE MR.JUSTICE N.G.NANDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

DY.COLLECTOR & LAQ OFFICER

Versus

KARUBHAI LAXMANBHAI

Appearance:

1. In Above First Appeals:

MR. A.D. OZA, LD. G.P. for Petitioner No. 1 in all above First Appeals and Civil Applications.

MR. VIMAL PATEL for Respondent No. 1 - Claimants in all above Appeals and Civil Applications.

CORAM : HON'BLE MR.JUSTICE N.G.NANDI

Date of decision: 23/02/2004

COMMON ORAL JUDGEMENT

1. All these appeals under section 54 of the Land Acquisition Act (herein after referred to as "The Act") are directed against the award of compensation under section 18 of the Act by the Reference court enhancing the compensation granted by the Special Land Acquisition Officer.

2. All these appeals involve claims, i.e. the additional amount awarded by the Reference Court ranging from Rs.1870/- to Rs.10415/-. In my opinion, all these appeals can be dismissed only on the ground of smallness of the additional amount awarded by the Reference Court under section 18 of the Act.

3. As a result of the foregoing discussions, First Appeals No. 1920, 1921, 1922, 1923, 1925, 1926, 1927, 1928, 1931, 1932, 1933, 1935, 1936, 1937, 1938, 1939 and 1940 of 2003 are hereby dismissed on the ground of smallness of additional amount of compensation awarded by the Reference Court under section 18 of the Act.

4. However, it is made clear that I have not gone into the merits or demerits of the references filed by the claimants and this judgment will not be cited as a precedent for similar appeals filed for the determination of the market value of the acquired lands arising from the very acquisition.

5. Registry shall list First Appeal no. 1919, 1924, 1930 and 1934 of 2003 with connected civil applications

for final hearing on 5-3-2004.

6. In view of the order in main appeals, civil application No. 6937, 6938, 6939, 6940, 6942, 6943, 6944, 6945, 6948, 6949, 6950, 6952, 6953, 6954, 6955, 6956 and 6957 of 2003 are dismissed as not surviving. Rule discharged in all above civil applications. Registry to place copy of this judgment in each of the matters.

Dt: 23-2-2004 (N.G. Nandi, J)

/vgn